1	William M. Simpich SB #106672	
2	Attorney at Law 1736 Franklin Street, 10th Floor	
3	Oakland, CA 94612	
4	Telephone (415) 542-6809 E-mail: <u>bsimpich@gmail.com</u>	
5	Stephen R. Jaffe SB #49539	
6	The Jaffe Law Firm 101 California, Suite 2710	
7	San Francisco, CA 94110 Telephone: (415) 618-0100	
8	E-mail: stephen.r.jaffe@jaffetriallaw.com	
9		
10	Attorneys for Plaintiffs	
11		
12	ΙΙΝΙΤΕΌ ΣΤΔΤΕ	S DISTRICT COURT
13		
14	NORTHERN DISTE	RICT OF CALIFORNIA
15	VOTING RIGHTS DEFENSE PROJECT, et	Case No. C-16-02739
16	al.,	
17	Plaintiffs,	PLAINTIFFS' TABLES OF CONTENTS AND AUTHORITIES
18	v.	Date: 6/1/16
19	ALEX PADILLA, et al.,	Time: 11 am Dept: 8, Hon. William Alsup
20		
21	Defendants.	
22		
23	///	
24	///	
25	///	
26	///	
27	///	
28		
	PLAINTIFFS' TABLES OF CONTEN	NTS AND AUTHORITIES 1

1	TABLE OF CONTENTS
2	REQUEST FOR RELIEF2
3	FACTUAL BACKGROUND4
4	THEORIES BEHIND PLAINTIFFS' CAUSES OF ACTION
5	PARTIES TO THE ACTION16
7	FIRST CAUSE OF ACTION (52 USC 10101(a)(2)(A) and 42 USC 1983)18
8	SECOND CAUSE OF ACTION (52 USC 10101(a)(2)(B) and 42 USC 1983)19
9	THIRD CAUSE OF ACTION (First and Fourteenth Amendments, and 42 USC 1983)20
10	PRELIMINARY INJUNCTION FACTOR TEST IN FEDERAL CASES
11	CONCLUSION24
12	
13	
14	
15 16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	
	PLAINTIFFS' TABLES OF CONTENTS AND AUTHORITIES 2

1	TABLE OF AUTHORITIES
2	Federal
3	Cases
4 5	Alliance for the Wild Rockies v. Cottrell, 632 F.3d 1127, 1135 (9th Cir. 2011)21
6	Ass'n of Churches v. Reed, 492 F. Supp. 2d 1264, 2006 U.S. Dist. LEXIS 96444 (W.D. Wash.
7	2006)17
8	Burdick v. Takushi, 504 U.S. 428, 434 (1992)21-22
9	Friedman v. Snipes, 345 F. Supp. 2d 1356, 2004 U.S. Dist. LEXIS 23739, (S.D. Fla. 2004)20
10	Friendship Materials, Inc. v. Michigan Brick, Inc., 679 F.2d 100, 105 (6th Cir. 1982)22
11	Griffin v. Burns, (D.R.I. 1977) 431 F.Supp. 1361, 1366 (D.R.I. 1977)22
12	Harman v. Forssenius, 380 U.S. 528, 537, 85 S.Ct. 1177, 1183, 14 L.Ed.2d 50, 57 (1965)23
1314	In re DeLorean Motor Co., 755 F.2d 1223, 1229 (6th Cir. 1985)
15	In re Eagle-Picher Industries, Inc., 963 F.2d 855, 859 (6th Cir. 1992)22
16	Jeffers v. Clinton, 730 F. Supp. 196, 204 (E.D. Ark. 1989)
17	Schwier v. Cox, 412 F. Supp. 2d 1266 (N.D. Ga. 2005) aff'd, 439 F.3d 1285 (11th Cir. 2006)20
18	Sierra Forest Legacy v. Rey, 577 F.3d 1015, 1021 (9th Cir. 2009)21
19	Smith v. Allwright, 321 U.S. 649, 660-662, 64 S.Ct. 757, 88 L.Ed. 987 (1944)23
2021	United States v. Classic, 313 U.S. 299, 318, 61 S.Ct. 1031, 85 L.Ed. 1368 (1941)
22	Winter v. Natural Resources Defense Council, Inc., 555 U.S. 7, 19 (2008)21
23	Wesberry v. Sanders, 376 U.S. 1, 17
24	Yick Wo v. Hopkins, 118 U.S. 356, 370, 6 S.Ct. 1064, 30 L.Ed. 220, 226 (1886)23
25	
26	Statutes
27	28 U.S.C. §133113
28	PLAINTIFFS' TABLES OF CONTENTS AND AUTHORITIES 3

1	28 U.S.C. §134313
2	28 U.S.C. §136113
3	28 U.S.C. §220113
4	28 U.S.C. §2202
5	42 U.S.C. §1983
6 7	52 U.S.C. 10101(a)(2)(A)
8	52 U.S.C. 10101(a)(2)(B)
9	
10	Constitution
11	First Amendment
12	
13	Fourteenth Amendment20
14	State Statutes
15	Elections Code §3000
16	Elections Code §3006
17	Elections Code §3006(b)(3)3, 7
18	Elections Code §3006(c)
19	Elections Code §3007.5
20	Elections Code §3007.7
21 22	Elections Code §6500. 18
23	Elections Code §7500. 18
24	Elections Code §14102
25	
26	
27	
28	
	PLAINTIFFS' TABLES OF CONTENTS AND AUTHORITIES 4

```
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
          PLAINTIFFS' TABLES OF CONTENTS AND AUTHORITIES
                                                                                5
```

1	
2	
3	
4	
5	
6	
7	
8	
9	
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	
	PLAINTIFFS' FIRST AMENDED COMPLAINT

1	Proof of Service
2	
3	I am not a party to this action. On May 20, 2016, I caused a copy of the Summons and Complaint
4	and the ADR packet to be served to:
5	
6	I declare under penalty of perjury that the foregoing is true and correct. Executed on May 20,
7	2016, in Oakland, California.
8	
9	
10	WILLIAM M. SIMPICH
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	
	PLAINTIFF'S OPPOSITION TO DEFENDANTS' DEMURRER